

# ORIGINAL

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**FILED**  
DISTRICT COURT OF GUAM  
JUN 11 2007  
MARY L.M. MORAN  
CLERK OF COURT

Attorneys for United States of America

## IN THE UNITED STATES DISTRICT COURT

### FOR THE TERRITORY OF GUAM

*hbs*  
**07-00055**

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
vs. )  
)  
HUI CHUN CHEN, )  
)  
Defendant. )

CRIMINAL CASE NO. \_\_\_\_\_  
**COMPLAINT**  
**ATTEMPTED ILLEGAL  
REENTRY OF REMOVED ALIEN**  
[8 U.S.C. §§ 1326 (a)(1) and (2); and  
6 U.S.C. §§ 202(3), 202(4), and 557]

THE UNDERSIGNED COMPLAINANT CHARGES UPON INFORMATION AND BELIEF  
THAT:

On or about June 10, 2007, within the District of Guam, the defendant herein, HUI  
CHUN CHEN, an alien, who previously had been denied admission, excluded, deported and  
removed from the United States to Taiwan, on or about August 13, 2003, at Boston,  
Massachusetts, did unlawfully and intentionally attempt to enter the United States with the  
purpose, i.e., conscious desire, to enter the United States, at the Guam International Airport Port  
of Entry, and that prior to her re-embarkation from a place outside the United States, the  
defendant knew she had not received the consent of the Attorney General of the United States or  
his designated successor, the Secretary of the Department of Homeland Security (Title 6, United

1 States Code, Sections 202(3) and (4), and 557) to reapply for admission and to enter the United  
2 States, in violation of Title 8, United States Code, Sections 1326 (a)(1) and (2).

3 COMPLAINANT FURTHER STATES:

4 My name is Brent Ada Tablan, and I am a U.S. Customs and Border Protection  
5 Enforcement Officer, and have been so employed with the Department of Homeland Security for  
6 four (4) years. My duties include investigation of violations of Titles 8 and 18 of the United  
7 States Code as they apply to violations of U.S. immigration laws. The information contained in  
8 this affidavit is based upon witness interviews, the collection of evidence, and document analysis  
9 conducted by the affiant. Based upon my knowledge, training, and experience with the  
10 Immigration and Nationality Act, I hereby make the following affidavit:  
11

12 1. On June 10, 2007 at approximately 0751, Hui Chun CHEN a citizen of Taiwan,  
13 (DOB: 02/15/1981, Taiwan Identification number F224855149), arrived at the Guam  
14 International Airport from Taiwan via China Airlines Flight 026. At primary immigration  
15 inspection, CHEN presented a valid, unexpired Republic of China/Taiwan passport #212562775  
16 (Issue date: 05/16/05, Expire date: 05/16/15) and applied under the Guam Visa Waiver Program  
17 (I-94 #22173896312) as a visitor for pleasure. CHEN was referred to immigration secondary  
18 inspection for further questioning regarding a previous removal record at Logan International  
19 Airport, Boston, Massachusetts on about August 13, 2003.  
20

21 2. Research at secondary inspection revealed that CHEN was processed for expedited  
22 removed from Logan International Airport, Boston, Massachusetts on about August 13, 2003.  
23 From Boston CHEN traveled to Los Angeles, California and from there CHEN was physically  
24 removed to Taiwan on about August 15, 2003. In Boston CHEN attempted to smuggle into the  
25 United States from Costa Rica, a citizen from the Peoples Republic of China identified as Chen,  
26  
27  
28

1 Wen-Ming (A96405390) who was posing as a Taiwanese citizen. Hui Chun CHEN was charged  
2 with violating section 212(a)(6)(c)(i) of the Immigration and Nationality Act for misrepresenting  
3 the true purpose of her visit. CHEN was prohibited from entering the United States for a period  
4 of five (5) years after the date of removal on or about August 13, 2003.

5  
6 3. With the aid of an interpreter CHEN agreed to waive her Miranda rights and answer  
7 questions. CHEN acknowledged she had previously been removed from Boston, Massachusetts,  
8 and that she was barred from entering the United States for a period of five (5) years. CHEN  
9 also stated that she did not apply for or receive consent from the Attorney General of the United  
10 States or his successor, the Secretary of the Department of Homeland Security prior to entering,  
11 today. In addition, CHEN did not apply for or receive a 212(d)(3), waiver of inadmissibility  
12 with a valid, unexpired U.S. Visa.  
13

14 4. Based on the forgoing I have probable cause to believe that HUI CHUN CHEN has  
15 committed the offense of Attempted Illegal Reentry of Deported Alien in violation of Title 8,  
16 United States Code, Sections 1326 (a)(1) and (2).  
17

18  
19   
20 BRENT ADA TABLAN  
21 Enforcement Officer  
22 U.S. Customs & Border Protection

23 SUBSCRIBED AND SWORN to before me this 11<sup>th</sup> day of June, 2007.

24  
25   
26 JOAQUIN V.E. MANIBUSAN, JR.  
27 Magistrate Judge  
28 District Court of Guam

## Place of Offense:

City Hagåtña

## Related Case Information:

07-00055

Country/Parish N/A

Superseding Indictment \_\_\_\_\_ Docket Number \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant X

Search Warrant Case Number \_\_\_\_\_

R 20/ R 40 from District of \_\_\_\_\_

## Defendant Information:

Juvenile: Yes \_\_\_\_\_ No X Matter to be sealed: \_\_\_\_\_ Yes X NoDefendant Name Hui Chun CHEN

Allisas Name \_\_\_\_\_

Address \_\_\_\_\_

**RECEIVED**

JUN 11 2007

DISTRICT COURT OF GUAM  
HAGATNA, GUAMBirthdate XX/XX/1981 SS# N/A Sex F Race A Nationality Taiwanese

## U.S. Attorney Information:

AUSA Marivic P. DavidInterpreter: \_\_\_\_\_ No X YesList language and/or dialect: Mandarin Chinese

## Location Status:

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody☐ On Pretrial Release

## U.S.C. Citations

Total # of Counts: 1 \_\_\_\_\_ Petty \_\_\_\_\_ Misdemeanor X Felony**Index Key/Code****Description of Offense Charged****Count(s)**Set 1 8 U.S.C. §§ 1326(a)(1) & (2) ALIEN 1

Set 2 \_\_\_\_\_

Set 3 \_\_\_\_\_

Set 4 \_\_\_\_\_

(Continued on reverse)

Date: 6/11/07 Signature of AUSA: [Signature]